

Exhibit NNN

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Case No. 1:23-cv-00878-TDS-JEP

DEMOCRACY NORTH CAROLINA;
NORTH CAROLINA BLACK ALLIANCE;
LEAGUE OF WOMEN VOTERS OF
NORTH CAROLINA,

Plaintiffs,

vs.

ALAN HIRSCH, in his official capacity as
CHAIR OF THE STATE BOARD OF
ELECTIONS; JEFF CARMON III, in his
official capacity as SECRETARY OF THE
STATE BOARD OF ELECTIONS; STACY
EGGERS IV, in his official capacity as
MEMBER OF THE STATE BOARD OF
ELECTIONS; KEVIN LEWIS, in his official
capacity as MEMBER OF THE STATE
BOARD OF ELECTIONS; SIOBHAN
O'DUFFY MILLEN, in her official capacity
as MEMBER OF THE STATE BOARD OF
ELECTIONS; KAREN BRINSON BELL, in
her official capacity as EXECUTIVE
DIRECTOR OF THE STATE BOARD OF
ELECTIONS; NORTH CAROLINA STATE
BOARD OF ELECTIONS,

Defendants.

EXPERT REBUTTAL REPORT OF DR. JACOB M. GRUMBACH

March 26, 2025

Rebuttal Report of Jacob M. Grumbach

I. Introduction

I am currently an Associate Professor at the Goldman School of Public Policy at the University of California, Berkeley. I was asked by Plaintiffs in this action to review the Expert Report of Dr. Andrew Taylor.

II. Americans Under 26 Constitute a Political Community

1. Dr. Taylor's Expert Report (p. 6) argues that "the term 'young voters' does not describe a delineated and conspicuous group of North Carolinians with a distinct identity and particular vulnerability to strategic discrimination by the state."

2. It is my expert opinion that young Americans, defined specifically as Americans between the ages of 18 and 25, constitute a coherent political community. This opinion is based on a variety of evidence. First, as I showed empirically in my Expert Report submitted on March 5, 2025 (pp. 4–10), young Americans have distinct political attitudes and priorities. These attitudes and priorities have formed through shared experience, such as low rates of homeownership. Second, young Americans are dramatically underrepresented in politics (*id.*, pp. 10–12). Such underrepresentation does not occur by chance, but rather because young Americans, as a group, have fewer economic resources and lower social capital—and because of policy and institutions that make it more difficult for young Americans to participate in politics.

3. Third, it would be curious if young Americans did not constitute a political community, because political elites certainly behave as if they do. During his 2024 election campaign, President Trump argued that "[y]oung Americans could buy homes again if I'm elected."¹ Prominent conservative activist Charlie Kirk similarly proclaimed, "Gen Z, I want you to know President Trump is going to deliver for you. So that you could be able to own a home, have big families, believe in this country."² Political elites, in other words, consider young voters to be a political community with shared experiences and distinct preferences.

4. It is also clear that political elites consider young voters to be a coherent political community when they, at times, support policies that reduce young voters' electoral participation. I described in my Expert Report (pp. 12–15), political elites in recent years have argued against the participation of young people in politics. The arguments suggest that young Americans are so uninformed or rootless that their political

¹ Ingraham Angle, *Trump: Young Americans could buy homes again if I'm elected* (July 30, 2024), <https://www.foxnews.com/video/6359647975112>.

² Elena Moore, *Turning Point USA's Charlie Kirk tells Gen Z voters 'Trump is going to deliver for you'* (Jan. 20, 2024), <https://www.keranews.org/2025-01-20/turning-point-usas-charlie-kirk-tells-gen-z-voters-trump-is-going-to-deliver-for-you>.

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participation is harmful for society.³ These arguments are familiar; they have been historically used to argue against the political rights and participation of women and racial minorities, and they suggest that political elites consider the group in question to be a coherent political community. Indeed, traditionally American notions of political equality and representation, such as the principle of “no taxation without representation,” as well as analogies between the exclusion of African Americans and young Americans in voting, have been applied to young Americans in the debates surrounding the ratification of the 26th Amendment (e.g., Cheng 2017).

5. Finally, in support of this argument, Dr. Taylor’s Expert Report (p. 6, fn. 9) cites the book *Generation Gap* by Kevin Munger (a book I also cited in my Expert Report). However, contrary to its use in Dr. Taylor’s Expert Report, Munger argues specifically in the book (p. 11) that “younger generations indeed seem to have a sense of shared identity and are willing to take political actions to advance a common agenda.”

III. Same Day Registration Has Substantial Effects for Young Voters

6. Dr. Taylor’s Expert Report (p. 15) argues that the importance of same day registration (“SDR”) “need[s] to be placed in perspective.” One way Dr. Taylor’s report (p. 15) puts SDR effects in perspective is by referencing an estimate from a statistical result in Grimmer and Hersh (2024) that suggests that “SDR increases turnout by 0.67 percentage points in Mississippi.”

7. For three critically important reasons, this estimate referenced in Dr. Taylor’s report is not evidence against the importance of SDR for young voters. First and most importantly, neither Grimmer and Hersh (2024) nor Dr. Taylor’s Expert Report shows SDR effects by age group, but rather just an overall average effect for all individuals. The solidly positive turnout effects of SDR for all individuals are already well known in the political science literature (e.g., Burden et al 2014). A key point, however, is that Grumbach and Hill (2022) showed that this effect is larger for young voters—something that can only be known by disaggregating the SDR effect by age, which neither Grimmer and Hersh (2024) nor Dr. Taylor’s Expert Report do. This is a critically important point. If SDR strongly increases young voters’ turnout but more weakly affects older voters’ turnout, then failing to separate SDR effects by age will

³ In addition to the examples in my original Expert Report, there are many others in recent years. In 2021, the Secretary of State of Mississippi, in arguing against automatic voter registration, said to “[t]hink about all these woke college and university students now who are automatically registered to vote... You’ve got an uninformed citizen who may not be prepared and ready to vote.” Jacob Gallant, *Sec. of State says woke, uninformed college students could sway elections under voter reform* (Apr. 7, 2021), <https://www.wlbt.com/2021/04/07/sec-state-says-woke-uninformed-college-students-could-sway-elections-under-voter-reform/>.

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make the overall SDR effect look smaller because older voters are much more numerous in the population.

8. Second, Mississippi is not North Carolina. North Carolina is different from Mississippi in terms of demographics, partisanship, geography, and much more. These differences matter for the effects of SDR, as, for instance, North Carolina has over three times the number of college students as Mississippi.⁴ North Carolina is also the only state that limits SDR to the early voting period.⁵

9. Third, footnote 40 of Dr. Taylor's report (p. 15) states that "Grimmer and Hersh apply the Grumbach and Hill method to Mississippi." This statement is not accurate. As already noted, Grimmer and Hersh do not estimate SDR's turnout effects by age, just overall. Moreover, the main results of Grumbach and Hill (2022) use nine distinct forms of difference-in-differences specifications (reprinted in Figure 7 of my original Expert Report, p. 19), which vary the use of state-level and individual-level demographic control variables (e.g., information about voters' incomes, educational background, race, and gender), as well as in the particular type of model specification (e.g., including state time trends or using weighted fixed effects modeling). The last point is somewhat technical but still important, as there have been important econometric advances in difference-in-differences analysis in recent years (e.g., Callaway and Sant'Anna 2021). These advances are focused on difference-in-differences analyses in situations when the policy change under study is implemented at different times in different states, as is the case with SDR. Specifically, the older difference-in-differences techniques can suffer from problems if newer and more longstanding SDR policies have different effects on turnout; the newer difference-in-differences techniques are designed to overcome this potential problem.

IV. Public Concern Is Not Evidence of Voter Fraud

10. In Dr. Taylor's Expert Report, a major point of opposition to the argument that "S. 747 does nothing to increase election integrity and improve election administration" (p. 22) is the fact that "Americans are clearly concerned about voter fraud" (p. 23). However, the scholarly literature makes clear that public perceptions of voter fraud, and of confidence in elections more broadly, are unrelated to *actual* rates of voter fraud or electoral integrity. Instead, trends in public attitudes about these issues are mostly driven by which party wins the presidential election, especially since 2020; when a party loses a presidential election, the party's voter base loses confidence in the integrity of elections (e.g., Bowler and Donovan 2024). The lack of correspondence

⁴ Melanie Hanson, *College Enrollment & Student Demographic Statistics* (last updated March 17, 2025), <https://educationdata.org/college-enrollment-statistics>.

⁵ National Conference of State Legislatures, *Same-Day Voter Registration* (last updated Oct. 25, 2024), <https://www.ncsl.org/elections-and-campaigns/same-day-voter-registration>.

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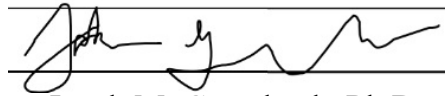
between perceived and actual rates of voter fraud is but one example of the gap between perceived and actual crime rates shown in quantitative analyses (Gramlich 2016; Esberg and Mummolo 2018).

11. More broadly, Dr. Taylor's Expert Report does not contain evidence about rates of voter fraud in North Carolina or the United States, and only quite loosely speculates about how SB747 might affect rates of fraud.

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Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing Declaration is true and correct in substance and in fact to the best of my knowledge and belief.

Executed on: March 26, 2025



Jacob M. Grumbach, Ph.D.

Appendix A: References

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- Grumbach, Jacob M., and Charlotte Hill. “Rock the Registration: Same Day Registration Increases Turnout of Young Voters.” *The Journal of Politics* 84, no. 1 (2022): 405-417.
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